

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHAEL KALMAN,

Plaintiff,

vs.

No. CIV-11-0084 JCH/LAM

JOSE PRADO and
CITY OF LAS CRUCES,

Defendants.

**ORDER GRANTING MOTION TO WITHDRAW AS PLAINTIFF'S
COUNSEL (Doc. 29)**

THIS MATTER comes before the Court on Plaintiff's counsel's *Motion To Withdraw as Plaintiff's Counsel* (Doc. 29), filed June 13, 2011. On June 28, 2011, the Court held a hearing on the motion at which Plaintiff, his counsel, and Defendants' counsel appeared. *See Clerk's Minutes* (Doc. 35). Having considered the motion, the parties' statements at the hearing, and the record of this case, the Court **FINDS** that the motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that Plaintiff's counsel's *Motion To Withdraw as Plaintiff's Counsel* (Doc. 29) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff has **45 days to obtain new counsel**. Plaintiff will proceed in this case *pro se* until such time as he is represented by new counsel.

IT IS FURTHER ORDERED that Plaintiff's previous counsel will advise Plaintiff in writing **within ten (10) days** that Plaintiff will be considered a *pro se* litigant until he obtains new counsel, that Plaintiff will be subject to, and adhere to, all rules of procedure and Court orders that are applicable to a licensed attorney, and that it will be Plaintiff's responsibility to respond to any motions, discovery requests, including pending discovery requests, and Court orders that may be

entered in his case, and that failure to do so could result in sanctions being imposed upon him. Plaintiff's previous counsel shall file a certificate of compliance with the Court **within ten (10) days** indicating that they have advised Plaintiff of the foregoing.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE